

ATTORNEYS AT LAW-PROCTORS IN ADMIRALTY

1700 TWO LOGAN SQUARE
18th AND ARCH STREETS
PHILADELPHIA, PA 19103-2769
(215)665-0400
FAX: (215)636-0366

Frederick E. Blakelock
(215)446-6231
fblakelock@heckerbrown.com

August 16, 2002

VIA FACSIMILE (215/580-9644)
AND HAND DELIVERY

The Honorable Jay C. Waldman, U.S.D.J.
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
U.S. Courthouse / Room 9613
601 Market Street
Philadelphia, PA 19106

Re: Rita's Water Ice Franchise Corp., et al. v. A.J. Ices, LLC, et al.
Civil Action No. 02-CV-4849

Dear Judge Waldman:

We represent defendants, A.J. Ices, L.L.C., Mark Shorr and Linda Shorr, in the above matter, in which plaintiffs' motion for a preliminary injunction is scheduled to be heard before Your Honor at 2:00 p.m. on Monday, August 18, 2002. (We have arranged for our messenger to file our Entry of Appearance prior to the hand delivery of this letter.)

We are pleased to advise Your Honor that the parties have agreed to enter into a Consent Order for a preliminary injunction, which, with the Court's approval, eliminates the need for the hearing on August 18, 2002. We have enclosed an original and one (1) copy of the parties' proposed consent order. If this order is acceptable, please enter this order and return a signed copy on the enclosed self-addressed stamped envelope. Pursuant to the instructions of your clerk, we will assume that the hearing is still going forward unless we are advised by the Court to the contrary.

Please call if you have any questions or concerns in this regard. Thank you for your consideration.

Respectfully submitted,

HECKER BROWN SHERRY AND JOHNSON LLP

By: _____
Frederick E. Blakelock

FEB/ath

Enclosures: (Consent Order and SASE)

cc: Craig R. Tractenberg, Esquire (w/encl. via facsimile and regular mail)
Kenneth Eisner, Esquire (w/encl. via facsimile and regular mail)